

December 12, 2005  
Seven o'clock P.M.  
North Little Rock School District Board Room  
2700 Poplar  
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, December 12, 2005, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (7/0). Alderman MARTIN GIPSON was absent. Assistant City Clerk Linda Marshall and City Attorney Paul Suskie were also present.

The invocation was given by Alderman Witcher, followed by the pledge of allegiance to the flag which was also led by Alderman Hight.

On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, the minutes from a regular council meeting held on November 28, 2005, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Bryant and seconded by Alderwoman Robinson, and by consent of all members present, communications #1 and 2 were accepted and filed (7/0).

1. Sharon Tedford, Mayor's Office memorandum re: application for new restaurant mixed drink permit for Kanpai Japanese Steak and Sushi, 4120 E. McCain, by Steve Kyesoon Im.
2. Ron Snead, Deputy Director, Department of Workforce Services re: relocation back to #2 Capitol Mall, should be out of #1 Pershing Circle by April 1, 2006.

Mrs. Sharon Dobbins, candidate for State Representative District 39 asked residents of the area to vote for her.

Alderman MARTIN GIPSON arrived.

Mayor Hays invited Mr. Peter Pickus with City Year to come forward and review the program. City Year has been active at 7<sup>th</sup> Street Elementary School, 72 students have been tutored with the percentage of students showing improvement, 72%.

Mayor Hays asked the council to consider rescheduling the December 26, 2005, City Council meeting to Thursday, December 22, 2005, due to city offices being closed in observance of the Christmas Holidays and several council members being unavailable. On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the meeting was rescheduled (8/0).

Alderman Witcher advised the January 9, 2006, City Council meeting will be in the Council Chambers in City Hall. He asked that elected officials be in City Hall by 6:00 p.m. for the yearly council photo.

Mayor Hays invited Pat Carmichael with HKS to come forward. Mr. Carmichael provided a visual presentation illustrating Arch-Engine which is a computer program which allows you to view a project by moving the computer mouse to see different angles and areas of a project. Mayor Hays said he would like to see the basics of the ballpark project done in this format.

Mayor Hays recessed the council meeting at 7:48 p.m. The meeting was reconvened at 7:50 p.m.

The proposed 2006 City of North Little Rock budget was filed November 30, 2005, and separated by funds and departments. The only increase in funds for 2006 will be from the City Sales tax. Mayor Hays said the only additional employee would be at the Hydro Electric Plant. Sanitation costs are approximately \$4 million which is an increase from \$3 million when sanitation fees were removed from utilities. Mayor Hays convened the public hearing. Mr. Scott Miller asked if \$400,000.00 for the sidewalk budget had been included in the proposed budget. He complemented the Mayor and council for their work. Mayor Hays then recessed the public hearing until 7:05 p.m. on Thursday, December 22, 2005. Mayor Hays then called O-05-96.

O-05-96

AN ORDINANCE ADOPTING A BUDGET FOR THE 2006 FISCAL YEAR FOR THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). The ordinance was read a second time and held by the sponsor, Mayor Hays. (Note: a public hearing was held this date and recessed until 7:05 p.m., Thursday, December 22, 2005). Alderman Hight asked questions regarding a bridge connecting the Clinton Library to North Little Rock. Mayor Hays said funds are available for a landing (Clinton Library Funds) in North Little Rock.

Mayor Hays announced the special call scheduled this date.

November 7, 2005

Honorable Members of the City Council

Re: Special Council Meeting

Dear Members of the City Council:

This is to advise that we have called a special Council meeting of the North Little Rock City Council for 7:05 p.m., on December 12, 2005, at the North Little Rock School District Administration Building, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION APPROPRIATING ADDITIONAL FUNDS FOR EXPENSES RELATED TO THE PLUM POINT DEVELOPMENT PROJECT; AND FOR OTHER PURPOSES.

Sponsored by: Mayor Patrick H. Hays

Respectfully submitted,  
/s/ Patrick H. Hays by ps  
Mayor Patrick H. Hays

The law requires that each of you be notified of the time, place and subject matter of any specially called Council meeting. This notice does not require any special written formalities or waivers on your behalf, unless you are notified within a 24-hour period prior to the special meeting.

It is requested that each of you sign the cover letter simply to indicate that you have been informed of the nature and time of the meeting. However, please be aware that your signature is not required unless a period of less than 24 hours remains before the designated time for the meeting and you have not previously received notice.

This will evidence that I have received this notice of a special Council meeting for 7:05 p.m., Monday, December 12, 2005, at the North Little Rock School Administration Building, North Little Rock, and waive time of notice.

/s/ Martin Gipson  
MARTIN GIPSON

/s/ Gary Berry  
GARY BERRY

/s/ Neil Bryant  
NEIL BRYANT

/s/ John Parker  
JOHN PARKER

/s/ Olen Thomas  
OLEN THOMAS

/s/ Murry Witcher  
MURRY WITCHER

/s/ Linda Robinson  
LINDA ROBINSON

/s/ Charlie Hight  
CHARLIE HIGHT

Special Call #1

A RESOLUTION APPROPRIATING FUNDS FOR EXPENSES RELATED TO THE PLUM POINT DEVELOPMENT PROJECT; AND FOR OTHER PURPOSES, was read. Mayor Hays advised the cities of Jonesboro, Conway and West Memphis would not be participating in the project due to expenses to convert to the system. Currently, the cost of delivered power is approximately \$40.00 per mega-watt hour. The cost of electricity from Plum Point (beginning in 2010) would be at a significant savings. Mr. Joe Gertsch, General Manager, North Little Rock Electric said the last coal fired plant built in Arkansas was in the early 1980's. This is a unique opportunity and requires additional funds. The share of costs has gone up due to the cities which have dropped out of the plan. Mr. Gertsch will provide a written report including issues, etc. The size of the plant will be 650 mega-watts. The Developer has set a deadline of February 15, 2006. Mayor Hays asked Mr. Suskie to include this legislation on the next council agenda.

Alderman Gipson asked when the filing deadline would be for the next meeting.

### **UNFINISHED BUSINESS**

R-05-150 (RESOLUTION NO. 6864 - MAYOR HAYS)

A RESOLUTION ACCEPTING THE LOW BID OF SIGNS FIRST FOR A SIGN AT THE NORTH SHORE MARITIME CENTER IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Mr. Suskie distributed an amendment. On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the legislation was amended as follows:: (*see substitute provided this date*) *insert new Whereas* WHEREAS, THE SIZE OF THE SIGN HAS SINCE BEEN REDUCED, AND SIGNS FIRST HAS SUBMITTED ITS REVISED BID IN THE AMOUNT OF \$25,943.00 PLUS TAX (SEE SIGN PRICE REVISION, SPECIFICATIONS AND DRAWING ATTACHED HERETO AS EXHIBIT "B"; AND *Section 1 and 2 delete \$29,645.00 and insert \$25,943.00, PLUS TAX (Section 1 only)* (8/0). On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the resolution was unanimously adopted (8/0). (Note: the size of the sign was reduced).

R-05-160 (RESOLUTION NO. 6865 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A POWER SUPPLY AGREEMENT WITH WM RENEWABLE ENERGY, LLC: AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Thomas and seconded by Alderman Gipson. Mayor Hays said this contract would be with Waste Management and would provide 3 to 4% of the city's power needs. The lines are not in place. A transmission line would have to be built (estimated cost \$260,000.00). The city will spend between \$220,000.00 to \$230,000.00 which should be back within 3 years. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

**NEW BUSINESS**

R-05-166 (RESOLUTION NO. 6866 - MAYOR HAYS)

A RESOLUTION AMENDING RESOLUTION NO. 6855; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Gipson. Mayor Hays said a pod at the existing Regional Jail could house an additional 80 inmates, however, funding is not available. Funding provided by the cities could help keep those beds open for felons. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-05-167 (RESOLUTION NO. 6867 - ALDERMAN GIPSON)

A RESOLUTION APPROPRIATING \$25,000.00 FROM THE GENERAL FUND FOR THE CODE ENFORCEMENT DEPARTMENT'S DEBRIS REMOVAL PROGRAM; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Gipson and seconded by Alderman Bryant. Alderman Gipson advised this appropriation is for the "dumpster program" which allows residents to tear down their own properties and provides debris removal. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

O-05-95 (ORDINANCE NO. 7771 - MAYOR HAYS)

AN ORDINANCE AMENDING BUDGET ORDINANCE NO. 7685; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. Mr. Bob Sisson, Finance Director explained the Fire Department had increases due to overtime for Firefighters sent to assist in the areas effected by Hurricane Katrina. Landfill costs have increased due to an increase in loads being delivered. The Parks Department is shifting funds and an adjustment was made in the Street Department. On the motion of Alderman Hight and seconded by Alderman Witcher, and the roll having been called and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0). Emergency clause unanimously adopted (8/0).

O-05-96 (see entry following public hearing above).

O-05-97 (ORDINANCE NO. 7772 - MAYOR HAYS)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF SHORT-TERM FINANCING OBLIGATIONS UNDER AMENDMENT NO. 78 TO THE ARKANSAS CONSTITUTION FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF REAL AND TANGIBLE PERSONAL PROPERTY; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Bryant, and seconded by Alderman Berry, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. On the motion of Alderman Berry, and seconded by Alderwoman Robinson, and by consent of all members present, the ordinance was amended as follows:: *insert new* SECTION 4: THE NOTE MAY BE SECURED BY THE IMPOSITION OF A FORECLOSABLE MORTGAGE LIEN UPON THE PROJECTS, IN WHOLE OR IN PART., *and renumber old Sections 4 through 9 to 5 through 10* (8/0). Mayor Hays advised this would allow the city to borrow up to \$12 million to cover deficiencies in the monthly sales tax revenue (regarding the ballpark). On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted as amended (8/0). Emergency clause unanimously adopted (8/0).

Mayor Hays spoke regarding the following legislation and the need for a public hearing regarding the same. Therefore, a public hearing will be held during the first City Council meeting in January, 2006 (January 9, 2006). Each of the items will be carried over to the January 9, 2006, City Council agenda.

O-05-98

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 IN SPANISH LAND GRANT #2417 TO BE TITLED "SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE "SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION" A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Hays. A public hearing will be held, Monday, January 9, 2006, at 7:05 p.m.

O-05-99

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED IN THE BAY MEADOWS ADDITION, SOUTH OF FAULKNER LAKE ROAD AND EAST OF HIGHWAY 391 TO BE TITLED "BAY MEADOWS POCKET TRACT #1 ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE "BAY MEADOWS POCKET TRACT #1 ANNEXATION" A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Hays. A public hearing will be held, Monday, January 9, 2006, at 7:05 p.m.

O-05-100

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED IN THE BAY MEADOWS ADDITION, SOUTH OF FAULKNER LAKE ROAD AND EAST OF HIGHWAY 391 TO BE TITLED "BAY MEADOWS POCKET TRACT #2 ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE "BAY MEADOWS POCKET TRACT #2 ANNEXATION" A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Hays. A public hearing will be held, Monday, January 9, 2006, at 7:05 p.m.

O-05-101

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF CRYSTAL HILL ROAD AND NORTH OF NORTH SHORE BUSINESS PARK TO BE TITLED "YOUNG ROAD POCKET

ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE  
“YOUNG ROAD POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Hays. A public hearing will be held, Monday, January 9, 2006, at 7:05 p.m.

O-05-102

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 AND  
NORTH OF WILLOW BEACH ROAD TO BE TITLED “BROWN FULKERSON POCKET  
ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE  
“BROWN FERGUSON POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Mayor Hays. A public hearing will be held, Monday, January 9, 2006, at 7:05 p.m. Alderman Thomas asked if these annexations were requested by the residents. Mr. Robert Voyles, Planning Director said these pocket annexations were requested by the City Council. Alderman Thomas said four of the proposed locations are located in Ward 2. Alderman Berry said an area off of MacArthur was not included.

**PUBLIC COMMENTS-----**

None.

There being no further business to come before the Council, and on the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the meeting adjourned at 9:15 p.m. (8/0), until the next regular meeting (which was rescheduled due to the Christmas Holiday) to be held on Thursday, December 22, 2005, at seven o’clock p.m. in the North Little Rock School Administration Building Board Room, located at 2700 Poplar, in the Administration Office Board Room, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS

ATTEST: DIANE WHITBEY, CITY CLERK